

Calcasieu Parish Clerk of Court
PO Box 1030
Lake Charles, LA 70602



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

NEW CIVIL FILING

JACOLBY NICHOLAS

VS. 2022-002360

U.S. XPRESS, INC

Mary Hale
Deputy Clerk of Court



C M S 6 0 2 5 1 3 2
Filing Date: 10/09/2022 03:52 PM Page Count: 1
Case Number: 2022-002360
Document Name: New Sum



60400

SCANNED

JUN 16 2022

Case

Case Number
2022-2360

Location
Calcasieu Parish

Case Type
Damages/Personal Injuries

Filed Date

Description

Category
Civil

Status

Judge

Envelope # 123488

Submit Date
06/08/2022 9:09 AM CDT

Filing Source
Odyssey File & Serve

Filed By
Anna M Garner

Firm Address
144 Tunica Drive West
Marksville, Louisiana 71351

Filer Email
annag@caubarreaux.com

Docket Date
06/08/2022 9:09 AM CDT

Filing Attorney
Paul Tellarico

Firm Name
Brian Caubarreaux and Associates

Firm Phone
318-253-0900

PI

Filings

3 Filing(s)

Petition

Status
Accepted By Court

Reference Number

Filing Type
EFile

Filing Description
Petition for Damages

Filing Courtesy Copies

Filing Comments

Review Date
06/08/2022 10:32 AM CDT

Accept Comments

Associated Parties:
Jacolby Nicholas

Documents

Component	Document Name	Description	Security	Download Version
Lead Document	Petition for Damages.pdf	Petition for Damages.pdf		Original Transmitted

Interrogatories

Status
Accepted By Court

Reference Number

Filing Type
EFile

Filing Description
Interrogatories and Request for Production of Documents

Filing Courtesy Copies

Filing Comments

Review Date
06/08/2022 10:32 AM CDT

Accept Comments

Associated Parties:
Jacolby Nicholas



CMS8030132 Page Count: 3
Filing Date: 06/13/2022 01:06 PM
Case Number: 2022-002360
Document Name: Note with attachment

6/8/22, 12:10 PM

Review Application

Documents				
Component	Document Name	Description	Security	Download Version
Lead Document	Interrogatories & RFPD.pdf	Interrogatories & RFPD.pdf		Original Transmitted

Affidavit

Status	Filing Type
Accepted By Court	EFile
Reference Number	Filing Description
	Civil Cover Sheet
Filing Comments	Filing Courtesy Copies
Review Date	Accept Comments
06/08/2022 10:32 AM CDT	
Associated Parties:	
Jacolby Nicholas	

Documents				
Component	Document Name	Description	Security	Download Version
Lead Document	Civil Cover Sheet.pdf	Civil Cover Sheet.pdf		Original Transmitted

Fees

Description of Fees and Amounts	
Petition	
Filing Fee	\$0.00
Issue Service (Out of Parish)	\$1.00
Service (Out of Parish) - Sheriff Fees	\$1.00
Issue Service (Long Arm) (2 x \$75.00)	\$150.00
Filing Total:	\$152.00
Interrogatories	
Filing Fee	\$0.00
Issue Service (Long Arm) (2 x \$75.00)	\$150.00
Service (Out of Parish) - Sheriff Fees	\$1.00
Issue Service (Out of Parish)	\$1.00
Filing Total:	\$152.00
Affidavit	
Filing Fee	\$0.00
Filing Total:	\$0.00
Total Fees	
Total Filing Fees	\$304.00
Court Case Fee	\$300.00
Payment Service Fee	\$18.00
E-File Fee	\$6.00
Envelope Total:	\$628.00

Payment Information

Payment Account
BC&A Alex Card

6/8/22 12:10 PM

ReviewApplication

Payment Type

CreditCard

Party Responsible for Fees

Jacolby Nicholas

Order ID

000123488-0

Transaction Amount

\$628.00

Transaction ID

182504

Transaction Response

Payment Complete

Coming Soon

CLOSE

CIVIL SUIT NO: 2022-2360

JACOLBY NICHOLAS

* 14TH JUDICIAL DISTRICT COURT

VERSUS

SCANNED

PARISH OF CALCASIEU

U.S. XPRESS, INC., MOUNTAIN LAKE
RISK RETENTION GROUP, INC. AND
DANIEL MORA

* STATE OF LOUISIANA

PETITION FOR DAMAGES

NOW INTO COURT comes plaintiff, JACOLBY NICHOLAS, a resident of the Parish of Rapides, State of Louisiana, who respectfully presents the following:

1.

Made defendants are:

U.S. XPRESS, INC., a foreign company authorized to do and doing business in the State of Louisiana, who may be served through its registered agent for service of process, Corporation Service Company, 501 Louisiana Avenue, Baton Rouge, LA 70802;

MOUNTAIN LAKE RISK RETENTION GROUP, INC., a foreign insurance not authorized to do business in the State of Louisiana, who may be served via Louisiana Long-Arm Statute through its registered agent for service of process, Corporation Service Company, 100 North Main Street, Ste. 2, Barre, VT 05641; and

DANIEL MORA, who may be served via Louisiana Long-Arm Statute at 243 Soaring Pines, Montgomery, TX 77316.

2.

Defendants herein are individually, jointly and in solido responsible unto plaintiff(s) for all damages enumerated herein. In addition, plaintiff is entitled to legal interest from the date of judicial demand and all costs of these proceedings.

3.

On or about July 20, 2021, plaintiff, JACOLBY NICHOLAS, was operating a 2004 Pontiac Grand Prix traveling east on I-10 near Iowa, Louisiana when suddenly and without warning, defendant, DANIEL MORA, entered into plaintiff's lane of travel, causing the collision.

4.

At the time of the accident, defendant, DANIEL MORA, was acting in the course and scope of his employment with U.S. XPRESS, INC. therefore, pursuant to the theory of respondeat superior, U.S. XPRESS, INC. is liable for all damages caused by defendant driver.



Filing Date: 06/08/2022 03:52 PM
Case Number: 2022-002360
Document Name: PETITION

Page Count: 4

PROCESSEDDate: 6-20-22

14TH eFILED: 6/8/2022 9:09 AM BY: Anna Garner
ACCEPTED: 6/8/2022 10:31 AM INTO CASE 2022-2360 BY DEPUTY CLERK Mary Hale

5.

At the time of the accident, defendant, **DANIEL MORA**, was driving a 2020 Freightline Cascadia with the consent and permission of its owner and employer, **U.S. XPRESS, INC.**

6.

The accident was caused by the negligence and fault of defendant, **DANIEL MORA**, in the following particulars:

- a. Cutting in, improper lane change;
- b. Failure to yield;
- c. Driving in an unsafe, reckless and dangerous manner;
- d. Failing to be attentive and/or observe surrounding traffic; and
- e. Failure to see what should have been seen.

7.

As a result of the above-described accident, plaintiff, **JACOLBY NICHOLAS**, suffered injuries to his body and mind, including his neck and back.

8.

As a result of the above-described accident and related injuries, plaintiff, **JACOLBY NICHOLAS**, sustained the following damages:

- a. Physical pain and suffering (past and future);
- b. Mental pain and suffering (past and future);
- c. Loss of income and earning capacity (past and future);
- d. Medical bills (past and future);
- e. Loss of enjoyment of life (past and future); and
- f. Physical disability.

9.

At the time of this accident, defendant, **U.S. XPRESS, INC.**, had in force a policy of automobile liability insurance with **MOUNTAIN LAKE RISK RETENTION GROUP, INC.** which affords coverage to the named defendants for the type of liability asserted herein.

10.

Plaintiff claims damages from the defendants in an amount deemed reasonable in the premises, in excess of \$50,000.00.

11.

Attached are Interrogatories and Request for Production of Documents that are to be answered in accordance with the law.

WHEREFORE, plaintiff prays that his petition be filed and served upon defendants, ordering them to answer the allegations contained herein; that after legal delays and proceedings are complete, there be judgment in favor of plaintiff, **JACOLBY NICHOLAS**, and against defendants, **U.S. Xpress, Inc., Mountain Lake Risk Retention Group, Inc.** and **Daniel Mora**, for damages in an amount reasonable in the premises, together with legal interest from the date of this demand and for all costs of these proceedings.

Plaintiff further prays for all general and equitable relief.

Respectfully Submitted:

BRIAN CAUBARREAU & ASSOCIATES

BY: 

BRIAN M. CAUBARREAU, #21522

brian@caubarreaux.com

EUGENE A. LEDET, JR, #19681

genel@caubarreaux.com

ETHAN E. CAUBARREAU, #38694

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PAUL J. TELLARICO, #19401

pault@caubarreaux.com

2204 MacArthur Drive

Alexandria, Louisiana 71301

Telephone: (318) 442-0900

Facsimile: (318) 483-9991

Attorneys for Plaintiff

(PLEASE SEE SERVICE INSTRUCTIONS ON NEXT PAGE)

SERVICE INFORMATION

1. **U.S. XPRESS, INC.**
Through its registered agent for service of process:
Corporation Service Company
501 Louisiana Avenue
Baton Rouge, LA 70802;
2. **MOUNTAIN LAKE RISK RETENTION GROUP, INC.**
via Louisiana Long-Arm Statute
Through its registered agent for service of process:
Corporation Service Company
100 North Main Street, Ste. 2
Barre, VT 05641
3. **DANIEL MORA**
Via Louisiana Long-Arm Statute:
243 Soaring Pines
Montgomery, TX 77316.

JACOLBY NICHOLAS	*	14 TH JUDICIAL DISTRICT COURT
VERSUS	*	PARISH OF CALCASIEU
U.S. XPRESS, INC., MOUNTAIN LAKE RISK RETENTION GROUP, INC. AND DANIEL MORA	*	STATE OF LOUISIANA

**INTERROGATORIES, REQUEST FOR PRODUCTION OF DOCUMENTS
AND REQUEST FOR ADMISSION**

**TO: U.S. XPRESS, INC.
MOUNTAIN LAKE RISK RETENTION GROUP, INC.
DANIEL MORA**

Pursuant to the Louisiana Code of Civil Procedure, plaintiff propounds to the defendant the following interrogatories, request for production of documents and request for admission, to be answered separately and fully, within thirty (30) days from service, and the responses forwarded to the office of Brian Caubarreaux and Associates, 2204 MacArthur Drive, Alexandria, LA 71301, along with the documents and tangible objects requested.

DEFINITIONS:

- A. "Defendant", "You" and "Your" where used in these interrogatories include and all counsel, consultants, experts, accountants, investigators, agents and other parties acting in their behalf.
- B. "Person(s)" where used in these Interrogatories include human beings, corporations, partnerships, associations, joint ventures, government agencies (Federal, State or Local), or any other organization cognizable at law and where an employee performs some task about which an inquiry is made to these Interrogatories as part of their employment. "Person(s)" includes both the employee and the employed person(s).
- C. "Document(s)" includes every writing and record of every type and description, including but not limited to letters, correspondence, telegrams, memos, notes, reports, recordings (mechanical, electronic, typed or written), transcriptions and printed, typed or written materials of every kind, including carbon, photostatic, microfilm or other copies of any of them, in the possession of, subject to the control of, or within the knowledge of the defendants (as defined in "A" above).
- D. "Tangible evidence" includes drawings, blueprints, charts, maps, graphs, photographs, video tapes, still or moving picture films, and any physical object in the possession of, subject to the control of, or within the knowledge of the defendant (as defined in "A" above).
- E. "Describe" or "identify", where used in reference to any document(s) or tangible evidence, includes stating the title or name, date, time, author of any documents, the comment name and identifying number of any object and the name and address of the person(s) having possession of such at the present time.
- F. A request to "identify" a person (as defined in "B" above) requires you to give the person(s) full name and present address, if known, or his last known address.

14TH eFILED: 6/8/2022 9:09 AM BY: Anna Garner
ACCEPTED: 6/8/2022 10:31 AM INTO CASE 2022-2360 BY DEPUTY CLERK Mary Hale



- G. "Accident" includes any event or occurrence described by plaintiff in this lawsuit and allegedly occurring on or about 7/20/2021.
- H. The male gender includes the female, and the singular pronoun includes the plural.
- I. "Defendant driver" where used in these interrogatories means the named defendant in the petition for damages who was driving the vehicle at the time of the subject accident identified in the petition for damages.

INSTRUCTIONS:

If any of these Interrogatories cannot be answered in full, answer to the extent possible, specifying the reasons for your inability to answer the remainder and stating whatever information, knowledge or belief you do have concerning the unanswered portion.

Each Interrogatory is a continuing one. If, after serving an answer to any Interrogatory, defendants obtain or become aware of any further information pertaining to such Interrogatory, defendants are required to serve upon plaintiff amended answers setting forth such information.

INTERROGATORY NO 1:

Please identify and produce each policy of insurance, whether primary, excess or umbrella, which was in full force and effect on the date of the accident in question, insuring you and/or the vehicle driven at the time of the accident by stating the following:

- A. The name of insurer(s).
- B. The number(s) of the policy(s).
- C. The effective dates of the policy(s).
- D. Identify the policy as to primary, excess or umbrella.
- E. Policy limits of each policy.

INTERROGATORY NO 2:

List the full name, address, and telephone number of each person who you and/or someone on your behalf have investigate this accident, canvas for witnesses, make measurements, take photographs, interview witnesses and in connection therewith, state this person's address, capacity and employment and/or association with you at such time.

INTERROGATORY NO 3:

List the full name, address, email address, and telephone number of all persons having any knowledge or information concerning any relevant facts involved in this accident.

INTERROGATORY NO 4:

List the full names, addresses, email address, and telephone numbers of all eyewitnesses to this accident.

INTERROGATORY NO 5:

List the full names, addresses and telephone numbers of all persons from whom statements (whether written, signed, or unsigned, oral, or voice-recorded, transcribed or not) have been obtained by you or on your behalf, stating also:

- A. The date of each statement.
- B. The name, address and telephone number of the person making or giving each statement.

- C. The full name, address, and telephone number of the person to whom each statement was made or given.
- D. The type of each statement, that is, whether written, signed, or unsigned, oral or voice-recorded, transcribed or not; and
- E. Give the full name, address, and telephone number of the person presently in possession of each such statement, recording or the like.

INTERROGATORY NO 6:

In connection with Interrogatory No. 5, state if you will voluntarily furnish undersigned counsel with legible copies of each statement or transcript of each recording, and, if so, please attach them in answer hereto.

INTERROGATORY NO 7:

As to the defendant driver, did said driver maintain a personal policy of automobile insurance other than the policy information listed in interrogatory number 1. If so, please identify the name of the insurance company, contact information, and policy number and identify his said insurance is primary, excess coverage or both.

INTERROGATORY NO 8:

If you contend the plaintiff caused this accident or in any way contributed to its occurrence, then describe in complete detail all the facts and circumstances upon which you rely in support of that contention, position, finding or conclusion.

INTERROGATORY NO 9:

As to the defendant driver, please state if you were charged with any offense whatsoever arising out of this accident and whether you received a citation. If your answer is affirmative, then please state:

- A. Give a description of each offense for which you were charged.
- B. Give the citation/summons/docket number and the court in which you were so charged and/or ordered to appear.
- C. Describe the ultimate disposition of each charge filed against you, including, by the way of example, whether you pled guilty or were tried and found guilty, and any fine and/or sentence imposed.

INTERROGATORY NO 10:

As to the defendant driver, and the trip on this particular occasion, which is the subject of this litigation, please state:

- A. The address, location, or place of departure.
- B. The time of departure.
- C. Your intended destination.
- D. The intended time of your arrival at your destination; and
- E. The purpose of your trip.

INTERROGATORY NO 11:

As to the defendant driver, please state whether you were acting in the course and scope of your employment at the time of the accident, and if so, identify the name and address of your employer and what specific task or assignment were you performing or carrying out for your employer and if you are still employed with said employer.

INTERROGATORY NO 12:

As to the defendant driver, please provide all driver's license numbers and the states issuing them; and state if your driver's license has ever been revoked or suspended either by the State of Louisiana or any other state in which you then held a driver's license. If your answer is affirmative, then please state:

- A. The state by which your license was revoked or suspended.
- B. The date on which your license was revoked or suspended.
- C. The reason(s) why your license was revoked or suspended.

INTERROGATORY NO 13:

List the name, address and telephone number of each person answering or contributing, either in whole or in part to any of the above interrogatories or request for production of documents and things. If multiple persons are contributing to these answers, please identify which person is representing each party defendant.

INTERROGATORY NO 14:

List the name of each witness which you may call at the trial of this matter and indicate if said person will be testifying as a lay witness or an expert witness. For all expert witnesses please list what field of specialty they will be called to testify. Please timely supplement this interrogatory as witnesses are identified.

INTERROGATORY NO 15:

List all exhibits which the defendant(s) may attempt to introduce to the court when this matter proceeds to trial. Please timely supplement this interrogatory as exhibits are identified.

INTERROGATORY NO 16:

List and identify all experts retained for any aspect of this litigation and identify the field of specialty for each expert.

INTERROGATORY NO 17:

Are defendants aware of the existence of any video, surveillance camera video, dash camera video or any other type of photographic information which depicts the subject automobile accident. If so, please identify which person(s) and/or entities have possession of said information and identify their contact information.

INTERROGATORY NO 18:

Are defendants aware of any information that any third-party, not currently a defendant in this litigation, caused or contributed in any way to the subject accident. If so, please identify said third-party.

INTERROGATORY NO 19:

Are defendant(s) aware of the identity of insurance carrier, employer, or entity vicariously liable for the actions of any defendant or potential defendant, which has not been made a party to this litigation. If so, please identify said potential defendant, insurance carrier, employer, or entity.

INTERROGATORY NO 20:

Has any surveillance, activity checks or video been conducted to capture any of the activities of any plaintiff. If so, list the name of the persons and or entities performing this surveillance.

REQUEST FOR PRODUCTION NO 1:

All photographs, motion pictures, slides, and still pictures in any way connected to this accident, including but not limited to vehicle recording devices, surveillance camera video or dash cameras.

REQUEST FOR PRODUCTION NO 2:

All accident, illness or injury reports concerning the accident in question including any accident, incident or injury report generated by any party to this litigation, insurer, or employer.

REQUEST FOR PRODUCTION NO 3:

Complete and full copies of all statements taken by defendant or its representative of the petitioner(s).

REQUEST FOR PRODUCTION NO 4:

All medical reports, records, and bills concerning the plaintiff(s) and/or defendant driver related to this accident.

REQUEST FOR PRODUCTION NO 5:

All written reports, videotapes and memoranda concerning surveillance of the petitioner.

REQUEST FOR PRODUCTION NO 6:

Copies of all expert reports concerning this litigation.

REQUEST FOR PRODUCTION NO 7:

Complete copies of all insurance policies in full force and effect on the date of the accident which would provide(s) coverage for the defendant driver and/or the vehicle driven, and/or for the owner of the vehicle, against the type of liability asserted in the Petition for Damages.

REQUEST FOR PRODUCTION NO 8:

Complete copy of all exhibits which defendant(s) may attempt to introduce at the trial of this matter.

REQUEST FOR PRODUCTION NO 9:

Please produce all documentation which indicates a 3rd party, insurer, employer, or entity which may be vicariously liable not made party to the subject litigation, is responsible for all or part of the damages asserted in this cause of action.

REQUEST FOR PRODUCTION NO 10:

Please produce copies of the entire employment file of the defendant driver.

REQUEST FOR ADMISSION NO. 1:

Please admit or deny the defendant driver was solely at fault in causing the subject auto accident subject to this litigation.

Respectfully Submitted:

BRIAN CAUBARREAU & ASSOCIATES

BY: 

BRIAN M. CAUBARREAU, #21522

brian@caubarreaux.com

EUGENE A. LEDET, JR, #19681

genel@caubarreaux.com

ETHAN E. CAUBARREAU, #38694

ethan@caubarreaux.com

PATRICK B. SADLER, #32235

patrick@caubarreaux.com

PAUL J. TELLARICO, #19401

pault@caubarreaux.com

JACOB R. CAUBARREAU, #39834

jacob@caubarreaux.com

2204 MacArthur Drive

Alexandria, Louisiana 71301

Telephone: (318) 442-0900

Facsimile: (318) 483-9991

Attorneys for Plaintiff

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: DANIEL MORA
243 SOARING PINES
MONTGOMERY, TX 77316

PURSUANT TO LOUISIANA
LONG ARM STATUTE

YOU ARE HEREBY NOTIFIED:

YOU ARE TO COMPLY TO THE "INTERROGATORIES, REQUEST FOR PRODUCTION OF
DOCUMENTS AND REQUEST FOR ADMISSIONS"

ALL IN ACCORDANCE WITH CERTIFIED COPY ATTACHED HERETO AND MADE A PART
HEREOF.

Witness the Honorable Judge of said Court, at Lake Charles, Louisiana, this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022.

Simone Zartler
Deputy Clerk of Court

SERVICE INFORMATION

Received on the _____ day of _____ 20____, and on the _____ day of _____ 20____, served the
above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile
in the parish in the hands of _____, a person apparently over the age of seventeen years, living
and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said
person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____ 20____

SERVICE \$ _____

BY: _____
Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039597
Print Date: 06/20/2022 06:52 AM Page Count: 1
Case Number: 2022-002360
Document Name: 2004 You are Hereby Notified - Civil

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: DANIEL MORA
243 SOARING PINES
MONTGOMERY, TX 77316

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DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile
in the parish in the hands of _____, a person apparently over the age of seventeen years, living
and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said
person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____
Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039697
Print Date: 06/20/2022 06:52 AM Page Count: 1
Case Number: 2022-002360
Document Name: 2004 You are Hereby Notified - Civil

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: DANIEL MORA
243 SOARING PINES
MONTGOMERY, TX 77316

PURSUANT TO LOUISIANA
LONG ARM STATUTE

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and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said
person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____ 20____

SERVICE \$ _____

BY: _____
Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039597
Print Date: 06/20/2022 06:52 AM Page Count: 1
Case Number: 2022-002360
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JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation/30 Day/Long Arm



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: DANIEL MORA
243 SOARING PINES
MONTGOMERY, TX 77316

PURSUANT TO LOUISIANA LONG-ARM
STATUTE

Parish of Long Arm, Louisiana, Defendant in said suit

YOU ARE HEREBY CITED TO APPEAR before said Court, for said Parish, and to comply with the demand contained in the petition of JACOLBY NICHOLAS against you, certified copy of which petition accompanies this citation, or file your answers thereto in writing in the office of the Clerk of Court at the Courthouse in the City of Lake Charles, in said Parish, within thirty (30) days after the service hereof, under penalty of default.

Witness the Honorable Judges of said Court, at Lake Charles, Louisiana, this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022

Simone Zartler

Deputy Clerk of Court

SERVICE INFORMATION

Received on the _____ day of _____, 20____, and on the _____ day of _____, 20____, served the above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039596
Filing Date: 06/20/2022 06:51 AM Page Count: 1
Case Number: 2022-002360
Document Name: 1630 Citations/30 Day

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation/30 Day/Long Arm



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: DANIEL MORA
243 SOARING PINES
MONTGOMERY, TX 77316

PURSUANT TO LOUISIANA LONG-ARM
STATUTE

Parish of Long Arm, Louisiana, Defendant in said suit

YOU ARE HEREBY CITED TO APPEAR before said Court, for said Parish, and to comply with the demand contained in the petition of JACOLBY NICHOLAS against you, certified copy of which petition accompanies this citation, or file your answers thereto in writing in the office of the Clerk of Court at the Courthouse in the City of Lake Charles, in said Parish, within thirty (30) days after the service hereof, under penalty of default.

Witness the Honorable Judges of said Court, at Lake Charles, Louisiana, this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022

Simone Zartler

Deputy Clerk of Court

SERVICE INFORMATION

Received on the _____ day of _____, 20____, and on the _____ day of _____, 20____, served the above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039596
Filing Date: 06/20/2022 06:51 AM Page Count: 1
Case Number: 2022-002360
Document Name: 1630 Citations/30 Day

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation/30 Day/Long Arm



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: DANIEL MORA
243 SOARING PINES
MONTGOMERY, TX 77316

PURSUANT TO LOUISIANA LONG-ARM
STATUTE

Parish of Long Arm, Louisiana, Defendant in said suit

YOU ARE HEREBY CITED TO APPEAR before said Court, for said Parish, and to comply with the demand contained in the petition of JACOLBY NICHOLAS against you, certified copy of which petition accompanies this citation, or file your answers thereto in writing in the office of the Clerk of Court at the Courthouse in the City of Lake Charles, in said Parish, within thirty (30) days after the service hereof, under penalty of default.

Witness the Honorable Judges of said Court, at Lake Charles, Louisiana, this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022

Simone Zartler

Deputy Clerk of Court

SERVICE INFORMATION

Received on the _____ day of _____, 20____, and on the _____ day of _____, 20____, served the above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

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SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039596
Filing Date: 06/20/2022 06:51 AM Page Count: 1
Case Number: 2022-002360
Document Name: 1630 Citations/30 Day

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation/30 Day/Long Arm



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: MOUNTAIN LAKE RISK
RETENTION GROUP INC
THROUGH REGISTERED AGENT
FOR SERVICE OF PROCESS:
CORPORATION SERVICE
COMPANY
100 NORTH MAIN STREET, STE 2
BARRE, VT 05641

PURSUANT TO LOUISIANA LONG-ARM
STATUTE

Parish of Long Arm, Louisiana, Defendant in said suit

YOU ARE HEREBY CITED TO APPEAR before said Court, for said Parish, and to comply with the demand contained in the petition of JACOLBY NICHOLAS against you, certified copy of which petition accompanies this citation, or file your answers thereto in writing in the office of the Clerk of Court at the Courthouse in the City of Lake Charles, in said Parish, within thirty (30) days after the service hereof, under penalty of default.

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Simone Zartler

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RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS 6039594
Print Date: 06/20/2022 06:46 AM Page Count: 1
Case Number: 2022-002360
Document Name: 1630 Citations/30 Day

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation/30 Day/Long Arm



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: MOUNTAIN LAKE RISK
RETENTION GROUP INC
THROUGH REGISTERED AGENT
FOR SERVICE OF PROCESS:
CORPORATION SERVICE
COMPANY
100 NORTH MAIN STREET, STE 2
BARRE, VT 05641

PURSUANT TO LOUISIANA LONG-ARM
STATUTE

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PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS 6039594
Print Date: 06/20/2022 06:46 AM Page Count: 1
Case Number: 2022-002360
Document Name: 1630 Citations/30 Day

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation/30 Day/Long Arm



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: MOUNTAIN LAKE RISK
RETENTION GROUP INC
THROUGH REGISTERED AGENT
FOR SERVICE OF PROCESS:
CORPORATION SERVICE
COMPANY
100 NORTH MAIN STREET, STE 2
BARRE, VT 05641

PURSUANT TO LOUISIANA LONG-ARM
STATUTE

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RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS 6039594
Print Date: 06/20/2022 06:46 AM Page Count: 1
Case Number: 2022-002360
Document Name: 1630 Citations/30 Day

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: MOUNTAIN LAKE RISK
RETENTION GROUP INC
THROUGH REGISTERED AGENT
FOR SERVICE OF PROCESS:
CORPORATION SERVICE
COMPANY
100 NORTH MAIN STREET, STE 2
BARRE, VT 05641

PURSUANT TO LOUISIANA
LONG/ARM STATUTE

YOU ARE HEREBY NOTIFIED:

CMS1604 Page 1 of 2

ALL IN ACCORDANCE WITH CERTIFIED COPY ATTACHED HERETO AND MADE A PART
HERE OF.

Witness the Honorable Judge of said Court, at Lake Charles, Louisiana, this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022

Simone Zartler
Deputy Clerk of Court

SERVICE INFORMATION

Received on the _____ day of _____, 20____, and on the _____ day of _____, 20____, served the
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PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile
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and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said
person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____
Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039595
Print Date: 06/20/2022 06:48 AM Page Count: 1
Case Number: 2022-002360
Document Name: 2004 You are Hereby Notified - Civil

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: MOUNTAIN LAKE RISK
RETENTION GROUP INC
THROUGH REGISTERED AGENT
FOR SERVICE OF PROCESS:
CORPORATION SERVICE
COMPANY
100 NORTH MAIN STREET, STE 2
BARRE, VT 05641

PURSUANT TO LOUISIANA
LONG/ARM STATUTE

YOU ARE HEREBY NOTIFIED:

CMS1604 Page 1 of 2

ALL IN ACCORDANCE WITH CERTIFIED COPY ATTACHED HERETO AND MADE A PART
HERE OF.

Witness the Honorable Judge of said Court, at Lake Charles, Louisiana, this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022

Simone Zartler
Deputy Clerk of Court

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in the parish in the hands of _____, a person apparently over the age of seventeen years, living
and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said
person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



Print Date: 06/20/2022 06:48 AM Page Count: 1
Case Number: 2022-002360
Document Name: 2004 You are Hereby Notified - Civil

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: MOUNTAIN LAKE RISK
RETENTION GROUP INC
THROUGH REGISTERED AGENT
FOR SERVICE OF PROCESS:
CORPORATION SERVICE
COMPANY
100 NORTH MAIN STREET, STE 2
BARRE, VT 05641

PURSUANT TO LOUISIANA
LONG/ARM STATUTE

YOU ARE HEREBY NOTIFIED:

CMS1604 Page 1 of 2

ALL IN ACCORDANCE WITH CERTIFIED COPY ATTACHED HERETO AND MADE A PART
HERE OF.

Witness the Honorable Judge of said Court, at Lake Charles, Louisiana, this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022

Simone Zartler
Deputy Clerk of Court

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and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said
person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039595
Print Date: 06/20/2022 06:48 AM Page Count: 1
Case Number: 2022-002360
Document Name: 2004 You are Hereby Notified - Civil

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation for Petition



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA
TO: US XPRESS ENTERPRISES INC
THRU REGISTERED AGENT,
CORPORATION SERVICE
COMPANY
501 LOUISIANA AVENUE
Baton Rouge, LA 70802

Parish of East Baton Rouge

You are named as defendant in the above captioned matter. Attached to this citation is a:

"PETITION FOR DAMAGES"

You must either comply with the demand contained in the petition or make an appearance either by filing an answer or pleading in the 14th Judicial District Court located at 1000 Ryan St., Lake Charles, LA within the delay provided in Article 1001 of the Louisiana Code of Civil Procedure under penalty of default.

Article 1001 of the Louisiana Code of Civil Procedure states:

- A. A Defendant shall file his answer within **twenty-one (21) days** after service of Citation upon him, except as otherwise provided by law.

If the plaintiff files and serves a Discovery Request with his Petition, the Defendant shall file his answer to the petition within **thirty (30) days** after service of citation and service of discovery request.

- B. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an Amendment of the Petition ordered, the Answer shall be filed within **fifteen (15) days** after the exception is overruled or referred to the merits, or **fifteen (15) days** after service of the Amended Petition.

- C. The Court may grant additional time for answering.

Article 1151 of the Louisiana Code of Civil Procedure provides in pertinent part:

A defendant shall plead in response to an Amended Petition within the time remaining for pleading to the Original Pleading or within **ten (10) days** after service of the Amended Petition, whichever period is longer, unless the time is extended under Article 1001.

THE CLERK OF COURT'S STAFF CANNOT PROVIDE LEGAL ADVICE.

Witness the Honorable Judges of said Court, at Lake Charles, Louisiana this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022.

Simone Zartler
Deputy Clerk of Court

Requested by:

SERVICE INFORMATION

Received on the _____ day of _____ 20____, and on the _____ day of _____ 20____,
served the above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile _____



CMS6039750
Filing Date: 06/20/2022 12:00 AM Page Count: 2
Case Number: 2022-002360
Document Name: 1004 Grace for Police

in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____ 20____

SERVICE \$ _____

BY: _____
Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation for Petition



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA
TO: US XPRESS ENTERPRISES INC
THRU REGISTERED AGENT,
CORPORATION SERVICE
COMPANY
501 LOUISIANA AVENUE
Baton Rouge, LA 70802

Parish of East Baton Rouge

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Article 1001 of the Louisiana Code of Civil Procedure states:

- C. A Defendant shall file his answer within **twenty-one (21) days** after service of Citation upon him, except as otherwise provided by law.

If the plaintiff files and serves a Discovery Request with his Petition, the Defendant shall file his answer to the petition within **thirty (30) days** after service of citation and service of discovery request.

- D. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an Amendment of the Petition ordered, the Answer shall be filed within **fifteen (15) days** after the exception is overruled or referred to the merits, or **fifteen (15) days** after service of the Amended Petition.

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Issued and delivered June 20, 2022.

Simone Zartler
Deputy Clerk of Court

Requested by:

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PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile



CMS6039750
Filing Date: 06/20/2022 12:00 AM Page Count: 2
Case Number: 2022-002360
Document Name: 1604 Grace for Police

in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____ 20____

SERVICE \$ _____

BY: _____
Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation for Petition



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA
TO: US XPRESS ENTERPRISES INC
THRU REGISTERED AGENT,
CORPORATION SERVICE
COMPANY
501 LOUISIANA AVENUE
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If the plaintiff files and serves a Discovery Request with his Petition, the Defendant shall file his answer to the petition within **thirty (30) days** after service of citation and service of discovery request.

F. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an Amendment of the Petition ordered, the Answer shall be filed within **fifteen (15) days** after the exception is overruled or referred to the merits, or **fifteen (15) days** after service of the Amended Petition.

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Issued and delivered June 20, 2022.

Simone Zartler
Deputy Clerk of Court

Requested by:

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DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile



CMS6039750
Filing Date: 06/20/2022 12:00 AM Page Count: 2
Case Number: 2022-002360
Document Name: 1604 Citance for Petition

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SERVICE \$ _____

BY: _____
Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: US XPRESS ENTERPRISES INC

THRU REGISTERED AGENT,
CORPORATION SERVICE
COMPANY
501 LOUISIANA AVENUE
Baton Rouge, LA 70802

YOU ARE HEREBY NOTIFIED:

THAT YOU ARE TO COMPLY TO THE "INTERROGATORIES, REQUEST FOR PRODUCTION OF DOCUMENTS AND REQUEST FOR ADMISSION",

ALL IN ACCORDANCE WITH CERTIFIED COPY ATTACHED HERETO AND MADE A PART HERE OF.

Witness the Honorable Judge of said Court, at Lake Charles, Louisiana, this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022

Simone Zartler
Deputy Clerk of Court

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RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039758
Print Date: 06/20/2022 07:54 AM Page Count: 1
Case Number: 2022-002360
Document Name: 2004 You are Hereby Notified - Civil

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: US XPRESS ENTERPRISES INC

THRU REGISTERED AGENT,
CORPORATION SERVICE
COMPANY
501 LOUISIANA AVENUE
Baton Rouge, LA 70802

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Issued and delivered June 20, 2022

Simone Zartler
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RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039758
Print Date: 06/20/2022 07:54 AM Page Count: 1
Case Number: 2022-002360
Document Name: 2004 You are Hereby Notified - Civil

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: US XPRESS ENTERPRISES INC

THRU REGISTERED AGENT,
CORPORATION SERVICE
COMPANY
501 LOUISIANA AVENUE
Baton Rouge, LA 70802

YOU ARE HEREBY NOTIFIED:

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Deputy Clerk of Court

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SERVICE \$ _____

BY: _____

Deputy Sheriff

MILEAGE \$ _____

TOTAL \$ _____

Party No. P001



CMS6039758
Print Date: 06/20/2022 07:54 AM Page Count: 1
Case Number: 2022-002360
Document Name: 2004 You are Hereby Notified - Civil

No. 2022-002360

**Fourteenth Judicial District Court
CALCASIEU PARISH, LA**

JACOLBY NICHOLAS

Plaintiff

VS.

U.S. XPRESS, INC et al

Defendant

BRIAN M CAUBARREAUX (ALEXANDRIA)

Attorney for Plaintiff

Attorney for Defendant

Date Filed: 06/08/2022

No. 2022-002360

Preliminary Default Entered:



H. LYNN JONES II

Clerk of Court and Ex-Officio Recorder

Fourteenth Judicial District of Louisiana

Parish of Calcasieu - Lake Charles, Louisiana

Ph 337-437-3550 Fax 337-437-3350



2022-002360

The Calcasieu Parish Clerk of Court is the custodian of this record. As a courtesy we allow local attorneys to check out the records. If you have borrowed this record from our office, 14th JDC Local Rule 24 allows for a period of no more than 72 hours. Documents are also accessible through our website at www.calclerkofcourt.com.

Notice of Service

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

TO: BRIAN M CAUBARREAU
2204 MACARTHUR DRIVE
ALEXANDRIA, LA 71301

Service issued to: US XPRESS ENTERPRISES INC THRU CORP SER CORP

Date of Service: 06/29/2022

Number of Service: 1

Personal/Domiciliary: PERSONAL SERVICE

Pleading served: 2004 You are Hereby Notified - Civil
06/08/2022

Issued by the Clerk of Court on the 12th day of July 2022.

Julie Reina
Deputy Clerk



Print Date: 06/20/2022 12:00 AM

Page Count: 1

Case Number: 2022-002360

Document Name: Notice of Service

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

You Are Hereby Notified - Civil



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA

TO: US XPRESS ENTERPRISES INC

THRU REGISTERED AGENT,
CORPORATION SERVICE
COMPANY
501 LOUISIANA AVENUE
Baton Rouge, LA 70802

FILED JUL 12 2022
Julie Kena
Deputy Clerk of Court
Calcasieu Parish, Louisiana

YOU ARE HEREBY NOTIFIED:

THAT YOU ARE TO COMPLY TO THE "INTERROGATORIES, REQUEST FOR PRODUCTION OF DOCUMENTS AND REQUEST FOR ADMISSION",

ALL IN ACCORDANCE WITH CERTIFIED COPY ATTACHED HERETO AND MADE A PART HEREOF.

Witness the Honorable Judge of said Court, at Lake Charles, Louisiana, this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022

Simone Zartler

Simone Zartler
Deputy Clerk of Court

SERVICE INFORMATION

Received on the _____ day of _____, 20____, and on the _____ day of _____, 20____, served the above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$ _____

BY: _____

MILEAGE \$ _____

Deputy Sheriff
I made service on the named party through the
CORPORATION SERVICE COMPANY

TOTAL \$ _____

Party No. P001

JUN 29 2022
by _____
a copy of this document to
MELISSA HARDIN

DY. M. LOCKWOOD #0803
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

SCANNED

JUL 13 2022



CMS8039758
Filing Date: 06/20/2022 07:54 AM Page Count: 1
Case Number: 2022-002360
Document Name: 2004 You are Hereby Notified - Civil

Notice of Service

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

TO: BRIAN M CAUBARREAU
2204 MACARTHUR DRIVE
ALEXANDRIA, LA 71301

Service issued to: US XPRESS ENTERPRISES INC THRU CORP SER CORP

Date of Service: 06/29/2022

Number of Service: 1

Personal/Domiciliary: PERSONAL SERVICE

Pleading served: 1604 CITATION FOR PETITION
06/08/2022

Issued by the Clerk of Court on the 12th day of July 2022.

Julie Reina
Deputy Clerk



CMSS6070772
Filing Date: 06/20/2022 12:00 AM Page Count: 1
Case Number: 2022-002360
Document Name: Notice of Service

JACOLBY NICHOLAS
VS. 2022-002360
U.S. XPRESS, INC

Citation for Petition



14th Judicial District Court
State of Louisiana
Parish of Calcasieu

THE STATE OF LOUISIANA
TO: US XPRESS ENTERPRISES INC
THRU REGISTERED AGENT,
CORPORATION SERVICE
COMPANY
501 LOUISIANA AVENUE
Baton Rouge, LA 70802

I made service on the named party through the
CORPORATION SERVICE COMPANY

JUN 29 2022

by tendering a copy of this document to
MELISSA LADDIN

Parish of East Baton Rouge

You are named as defendant in the above captioned matter. Attached to this citation is a:

"PETITION FOR DAMAGES"

SCANNED
JUL 13 2022

DY. M. LOCKWOOD, JR.
Deputy Sheriff, Parish of East Baton Rouge, Louisiana

FILED JUL 12 2022

Julie Rena
Deputy Clerk of Court
Calcasieu Parish, Louisiana

You must either comply with the demand contained in the petition or make an appearance either by filing an answer or pleading in the 14th Judicial District Court located at 1000 Ryan St., Lake Charles, LA within the delay provided in Article 1001 of the Louisiana Code of Civil Procedure under penalty of default.

Article 1001 of the Louisiana Code of Civil Procedure states:

- C. A Defendant shall file his answer within **twenty-one (21) days** after service of Citation upon him, except as otherwise provided by law.

If the plaintiff files and serves a Discovery Request with his Petition, the Defendant shall file his answer to the petition within **thirty (30) days** after service of citation and service of discovery request.

- D. When an Exception is filed prior to Answer and is overruled or referred to the merits, or is sustained and an Amendment of the Petition ordered, the Answer shall be filed within **fifteen (15) days** after the exception is overruled or referred to the merits, or **fifteen (15) days** after service of the Amended Petition.

- C. The Court may grant additional time for answering.

Article 1151 of the Louisiana Code of Civil Procedure provides in pertinent part:

A defendant shall plead in response to an Amended Petition within the time remaining for pleading to the Original Pleading or within **ten (10) days** after service of the Amended Petition, whichever period is longer, unless the time is extended under Article 1001.

THE CLERK OF COURT'S STAFF CANNOT PROVIDE LEGAL ADVICE.

Witness the Honorable Judges of said Court, at Lake Charles, Louisiana this 8TH day of JUNE 2022.

Issued and delivered June 20, 2022.

Simone Zartler

Simone Zartler
Deputy Clerk of Court

Requested by:

SERVICE INFORMATION

Received on the _____ day of _____, 20____, and on the _____ day of _____, 20____, served the above named party as follows:

PERSONAL SERVICE on the party herein named _____

DOMICILIARY SERVICE on the party herein named by leaving the same at his domicile _____



CMS8038750
Filing Date: 06/20/2022 12:00 AM Page Count: 2
Case Number: 2022-002360
Document Name: 1604 Citation for Petition

in the parish in the hands of _____, a person apparently over the age of seventeen years, living and residing in said domicile and whose name and other facts connected with this service, I learned by interrogating the said person, said party herein being absent from his residence at the time of said service.

RETURNED:

PARISH OF _____ this _____ day of _____, 20____

SERVICE \$_____

BY: _____
Deputy Sheriff

MILEAGE \$_____

TOTAL \$_____

Party No. P001

Marksville Office:

Brian M. Caubarreaux
Emily Gremillion *+
Ethan E. Caubarreaux

P.O. Box 129
144 Tunica Drive West
Marksville, LA 71351
P: 318-253-0900
F: 318-253-5666



Reply to: Alexandria Office

Alexandria Office:

Eugene A. Ledet, Jr.
Patrick B. Sadler
Paul J. Tellarico
Jacob R. Caubarreaux

2204 MacArthur Drive
Alexandria, LA 71301
P: 318-442-0900
F: 318-483-9991

+ Mediator
*Licensed in Texas

September 23, 2022

Honorable H. Lynn Jones
Calcasieu Parish Clerk of Court
P.O. Box 1030
Lake Charles, LA 70602

Re: *Jacolby Nicholas vs. U.S. Xpress, Inc., Mountain Lake Risk Retention Group, Inc., and Daniel Mora*
Civil Suit No.: 2022-002360

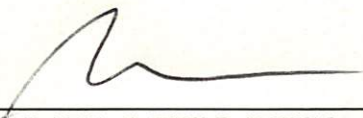
Dear Mr. Jones,

Enclosed is an Affidavit of Long Arm Service on defendant, Daniel Mora, which I request you file in the captioned matter.

Should you have any questions, please feel free to contact me.

Sincerely,

BRIAN CAUBARREAU AND ASSOCIATES

BY: 
PAUL J. TELLARICO

PJT/amg
Enclosure

cc: James M. Dill (Via email to: jdill@dillfirm.com)

CIVIL SUIT NO: 2022-002360

JACOLBY NICHOLAS

14TH JUDICIAL DISTRICT COURT

VERSUS

PARISH OF CALCASIEU

**U.S. XPRESS, INC., MOUNTAIN LAKE
RISK RETENTION GROUP, INC. AND
DANIEL MORA**

STATE OF LOUISIANA

AFFIDAVIT OF LONG ARM SERVICE

STATE OF LOUISIANA

PARISH OF RAPIDES


BEFORE ME, the undersigned Notary Public, duly commissioned and qualified in this state and parish, personally appeared **PAUL J. TELLARICO** who after being duly sworn, did depose and state that he:

Sent a certified copy of the petition and the citation by registered or certified mail to defendant, **DANIEL MORA**, after having enclosed it in an envelope properly addressed to the defendant's address, with sufficient postage affixed, and deposited in the United States mail on September 14, 2022. The return receipt from the postal service of the defendant is attached to this affidavit and will be filed into the record.



PAUL J. TELLARICO

SWORN TO AND SUBSCRIBED before me this 23 day of September, 2022 at
Alexandria, Rapides Parish, Louisiana.



NOTARY PUBLIC
NOTARY NAME: Paul J. Tellarico
NOTARY NUMBER: 19401

Marksville Office:

Brian M. Caubarreux
Emily Gremillion *+
Ethan E. Caubarreux

P.O. Box 129
144 Tunica Drive West
Marksville, LA 71351
P: 318-253-0900
F: 318-253-5666

Brian Caubarreux
AND ASSOCIATES
A Professional Law Corporation

Reply to: Alexandria Office

Alexandria Office:

Eugene A. Ledet, Jr.
Patrick B. Sadler
Paul J. Tellarico
Jacob R. Caubarreux

2204 MacArthur Drive
Alexandria, LA 71301
P: 318-442-0900
F: 318-483-9991

+ Mediator
*Licensed in Texas

September 14, 2022

CERTIFIED MAIL: 7021 1970 0001 4319 7994

Daniel Mora
12134 Mustang Avenue
Willis, TX 77378

Re: *Jacolby Nicholas vs. U.S. Xpress, Inc., Mountain Lake Risk Retention Group, Inc. and Daniel Mora*
Civil Suit No.: 2022-2360, Division "D"

Dear Mr. Mora,

In accordance with LSA R.S. 13:3201, *et seq.*, I enclose a Petition for Damages and Interrogatories and Request for Production of Documents, along with the attached Citation, which I serve on you pursuant to the Louisiana Long Arm Statute.

Please be advised that you have thirty (30) days in which to file responsive pleadings in this regard.

Sincerely,

BRIAN CAUBARREUX & ASSOCIATES

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL U.S. MAIL

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Daniel Mora
12134 Mustang Avenue
Willis, TX 77378

2. Article Number (Transfer from service label)

7021 1970 0001 4319 7994

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Daniel Mora* ☐ Agent ☐ Addressee

B. Received by (Printed Name)

Daniel Mora

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

3. Service Type

☐ Adult Signature ☐ Priority Mail Express®
☐ Adult Signature Restricted Delivery ☐ Registered Mail™
☐ Certified Mail® ☐ Registered Mail Restricted Delivery
☐ Certified Mail Restricted Delivery ☐ Return Receipt for Merchandise
☐ Collect on Delivery ☐ Signature Confirmation™
☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt



CMS8039696
Filing Date: 06/20/2022 06:51 AM Page Count: 1
Case Number: 2022-002360
Document Name: 1630 Citation/30 Day